(1)

Sectt: II-27—36,000—30-10-37.

13341

E & H (1938) Department.

SCANNED

MS SERIES.

G.O. No. 2066 Edn

DATED 31-8-1938

[Despatch Abstract.]

Secondary Schools - Conditions of service - Hindustani teachers - Considered unsuitable/for regulation by rule - Papers recorded.

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.

பாதுகாப்பு பிரிவு-1

செப்பனிடுபவர் பெயர் ரா. கையல்நாயக்

செப்பனிடுவதற்காக
எடுத்துக்கொள்ளப்பட்ட நாள் 7/2006

செப்பனிட்டு முடித்த நாள் 8/2006

சரிபார்க்கும் முதல் மு.நி.பா.எ. கையொப்பம்	சரிபார்க்கும் 2ம். நி.பா.எ. கையொப்பம்	ஆராய்ச்சி உதவியாளர் கையொப்பம்

Government of Madras. 32912

Received..........1938. Registered.........1938.

Abstract.

Public Services - Hindustani teachers to be employed in connection with compulsory teaching of Hindi ~~xxxxxxxx~~ in schools - Conditions of service considered to be matter not suitable for regulation by rule.

ASST. SECRETARY TO GOVT. 30 JUL 1938 EDUCATION AND PUBLIC HEALTH DEPT.

Public (Services) Department.

G.O.No.MS.1309, dated the 28th July 1938.

****

Read the following:-

G.O.No.1394 Education & Public Health, dated the 17th June 1938.

---o---

ORDER:-

The following notification will be published in the Fort St. George Gazette:-

Notification.

Under the proviso to sub-section (2) of section 241 of the Government of India Act, 1935, His Excellency the Governor considers that the conditions of service of Hindustani teachers to be employed in connection with the compulsory teaching of Hindi in schools are matters not suitable for regulation by rule.

(By Order of His Excellency the Governor)

G.T.Boag,
Chief Secretary to Government.

To the Madras Public Service Commission, with C.L.
,, Education & Public Health Department.
,, Accountant-General, Madras.
,, Superintendent, Government Press, for publication in the Gazette and for issue of correction slip to Volume II of the Madras Services Manual.

(True copy)
Forwarded.
(By Order)

Superintendent.

M.P.

Government of Madras 32912

Received......1938. Registered......1938.

Abstract.

Public services - Hindustani Teachers to be employed in connection with compulsory teaching of Hindi in schools - Conditions of service considered to be matter not suitable for regulation by rule.

Public (Services) Department.

G.O.No.Ms.1509, dated the 28th July 1938.

***

Read the following:-

G.O.No.1384 Education & Public Health, dated the 17th June 1938.

--o--

ORDER:-

The following notification will be published in the Fort St. George Gazette:-

Notification.

Under the proviso to sub-section (2) of section 241 of the Government of India Act, 1935, His Excellency the Governor considers that the conditions of service of Hindustani teachers to be employed in connection with the compulsory teaching of Hindi in schools are matters not suitable for regulation by rule.

(By order of His Excellency the Governor)

C.T.Boag,
Chief Secretary to Government.

To the Madras Public Service Commission, with C.L.
" Education & Public Health Department.
" Accountant-General, Madras.
" Superintendent, Government Press, for publication in the Gazette and for issue of correction slip to Volume II of the Madras Services Manual.

(True copy)
Forwarded.
(By order)

Superintendent.

ASST. SECRETARY TO GOVT. EDUCATION AND PUBLIC HEALTH DEPT. 30 JUL 1938

Education Dept.

Entd 32912-B2 Dt 25.8.38

Communicated to the Dip 9

To the Dip. 9

E 18/8

M.R. 819 23.8.38

GR 24/8/38

1(a) 2066 (3)

30984

OFFICE OF THE
DIRECTOR OF PUBLIC INSTRUCTION,
M A D R A S.

POST COPY OF TELEPHONIC MESSAGE, DATED 14TH JULY 1938.

From

The Director of Public Instruction,

Madras.

To

The Secretary to Government,

Education & Public Health Department,

Madras.

(B)

REF:- G.O. No. MS. 1394, Education and Public Health, dated 17th June 1938 - Hindustani teachers - pay and qualifications.

***

The list of Hindustani teachers referred to in paragraph 4 of the above G.O. contains the names of persons who are not British subjects and also men who are 30 years of age and over. Kindly let me know: (1) Whether the age limit need not be applied in regard to their appointments; (2) Whether men who are below the age of 30 years may be appointed in Girls' Schools; and (3) Whether a declaration of eligibility to hold the post under the Crown should be obtained on behalf of Non-British subjects. (4) I presume that the instructions issued in G.O. No. 1964 Public (Services), dated 16th October 1937, regarding levy of fees from applicants do not apply in these cases. Please say whether the above presumption is correct.

(T) M ?

[signature]
15.7.38

for DIRECTOR OF PUBLIC INSTRUCTION.

NB/15-7.

[initials] 15-7.

2

Education Deptt.

These appointments of Hindustani

A/ Pandits are outside the scope of Statutory Service Rules — p. 82 of Go. 1394 Pub. d/ 17.6.38. Cf the three ~~[struck through]~~ queries

(B) on previous page, no: (1) may be answered in the negative, i.e. the age limit of 30 does not apply: No (2/(iii)), whether men below thirty years of age may be employed in girls' schools is a question of policy: as regards (3), it does not seem necessary to obtain the declaration reqd: ~~[struck through]~~ do the candidates require to pay and fee: Their pay is only Rs 30 & the

B/ appointments temporary. Further, there is to be no advertisement & the G.O. does not seem to apply.

pp 84- (B)

2/ The remarks of Public (Services) may be invited.

E
18/7.

S/a
18.7.38
S

(2)

I would answer (2) in the negative as a matter of policy.

[initials]
19/7/38

Pub (Ser)

Exp. Head.
30984. B/38-1.
19-7-38.

ASSISTANT SECRETARY TO GOVT.
19 JUL 1938
CHIEF SECTT.

21818

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(B)

Public (Ser) Deptt

With reference to pp 1-2 ante please see this Deptts' notes on ~~pp~~ pp 81-83 of G.O. No. 1384 Edn. of 17.6.38. As suggested at P on p. 82 ibis, Edn. + P.H. may consider the advisability of issuing comprehensive orders ~~—~~ regarding the conditions of service of Hindustani teachers employed in Govt. schools instead of passing orders piece meal. It is observed from the advertisements on pp. 424-426 of Part I-B of F.S.G. Gazette d. 12.7.38 that some appointing authorities have already settled for themselves some of the points raised by the D.P.I. on p. 1 ante. The D.P.I's points are dealt with below:-

P

Indicated by slip in the Gazette at (R)

[signature]

2 Point (1) - Application of age limit. It seems desirable to lay down an age limit. One appointing authority has fixed the age limit at 30 with a proviso that applns. from candidates with a higher age will be considered if candidates within 30 years are not available.

vide A on p. 429 of the Gazette

This seems suitable and may be adopted. | [illegible] 20/7

3/ Point (2) - Exclusion of men teachers below 30 years from girls' schools. This Deptt may agree with ~~[illegible]~~ Secy E&P.H. It is presumed that wherever possible women teachers will be appointed in girls' schools. | [illegible] 20/7 [illegible]

cf 'B' on p 424 of the Gazette at (K)

Where women teachers are not available for girls' schools, it would be necessary to entertain men teachers. — Pl see in this connection ~~rule 4~~ proviso (ii) to rule 4(a)(i) of the Madras Edl Sub. Service Rules at p106 of Services Manual, Vol II.

[illegible] 19/7.38

(not [illegible])

4/ Point (4) Levy of fees | p/ [illegible]

Under the orders in G.O. No. 1964 Pub (Ser) dated 16.10.37, in the case of posts in the Subordinate Services excluded from the purview of the Madras Public Service Commission, a fee of Rs 10 should be levied from each applicant for any post the maximum pay of which is Rs 50 and above and a ~~fees~~ fee of Rs 5 should be levied in other cases. The intention is that fees should be levied in respect of posts for which selection is made after due advertisement. The pay of the posts of Hindustani teachers is Rs 30 per mensem. In the advertisements at pages 424-426 of the Fort St. George Gazette at flag (K) ~~[illegible]~~ the appointing authorities have

(T)

(A) p. 3 of Lodged 5718 D/- 4.12.37 / [illegible]

p 19 (B)

Q

2066 5 (5)

A fee of Rs 5 may be levied as in other cases.
[illegible] 20/7 (T)

notifies that a fee of Rs 5 will be levied. This is in accordance with the orders in Fo. No 1964 Pub (Ar) dated 16.10.37.

[illegible] 15.7.38

[illegible] 20/7/38

[illegible] Pub (Ar) B

Point (4) - Declaration of eligibility

[illegible] No person who is not a British subject is eligible to hold any office under the Crown in India except as provided by section 262 of the Govt. of India Act, 1935. Though the posts in question have been excluded from the scope of Statutory Rules yet ~~they~~ will come under the term "Office under the crown in India". ~~[illegible]~~ Since the posts ~~of~~ are ~~[illegible]~~ temporary authorisation under the proviso to Section 262(4) of the Govt. of India Act is necessary. This may be obtained after the person

Act p 17 (L)

(Act not [illegible]) B at p 2 ante

B at p 2 ante

Act [illegible] 27 (L)

6

B

has actually been selected for appointment ~~to the post~~.

With the above remarks the file may be returned to the E&P.H. Dept.

A.S. SECRETARY TO GOVT.
20 JUL 1938
EDUCATION AND PUBLIC HEALTH DEPT.

SS
25/7

CRG
20/7/38

Pub Ser. no. 2181/38.I
20/7/38

CS / E & P.H

[illegible]
20.7.38

E & P.H.

Education Dept.

The three points raised in the D.P.I's T.H. at page 1 ante have been noted on by Public and the position is briefly summarised below:

(i) Whether persons over 30 years of age may be recruited as Hindustani teachers:

The answer is yes, if persons below 30 are not available. Public agree.

(ii) Whether men below 30 years of age may be employed as Hindustani teachers in girls' schools:

Secretary has ~~endorsed~~ taken the view that as a matter of policy such appointments should not be made. It is not however known whether qualified women teachers ~~or~~ or men teachers above the age of 30 are available for all the 16 govt. girls' schools in which introduction of Hindustani has been sanctioned. The D.P.I

p 2 ante

2066 -7- (6)

may be told as suggested by Secretary and he may be asked to report the number of girls' schools for which Hindustani teachers cannot be obtained with the restriction under reference.

(iii) Whether a fee of Rs. 5 should be levied from candidates who apply for these posts;

p 17 (B)

According to para 4 of G.O. 1394 Edn., dt 17.6.1938, these appointments should in the main be made from the list got up by the Director in consultation with the Hindi Prachar Sabha and it was probably unnecessary for the authorities to have inserted advertisements in the Fort St George Gazette, ~~and~~ requiring candidates, inter-alia to pay a fee of Rs. 5. These appointments already carry very low rates of pay as compared to qualifications demanded and qualified people presumably are not many. A fee would be unnecessary in these circumstances and may be waived. (a)

('P' at page 3 ante is a counsel of perfection but in a new venture like this 'piecemeal orders' are to some extent inevitable in the initial stages.)

~~2. In the absence of H.M. (Edn). this may perhaps be circulated to H.P.M. for orders.~~

(iv) Whether declaration of eligibility should be obtained for subjects of States - The suggestion of Public may be accepted.

ASST. SECRETARY TO GOVT. 21 JUL 1938

Exp. ... 3098/...2. 21-7-... 35253

[illegible] 20/7

With reference to (iii) above Finance may see before circulation.

S/a 20.7.38

[illegible] 21/7/38 Fin

Finance Dept

This file is remitted to Finance for remarks on the question whether a fee of Rs 5/- should be levied from applicants for the post of Hindustani Teachers in Govt. Schools. Please see in this connection portions M + N on pp 1-2 ante, para: 4 of the Public dept' notes on pp 4-5 ante and para: (iii) of E.P.H. notes on p. 7 ante. This dept. may, perhaps, agree with the view expressed by Public on p. 5 ante. ~~also~~ that the fees of Rs 5 should be levied from applicants. It may also be remarked that some of the applicants would have already paid the fees in pursuance of the notification published by the appointing authorities and there seems to be no special justification to exempt applicants for these posts from the payment of fees prescribed in G.O. 1964 Pub. (Ser) d/ 16.10.37.

Item (iii) on p 7 ante

(T)

us
21.7.38

RAM
21.7.38

The pay of Hindustani teachers is Rs 30 p.m. Even for posts carrying less pay in other Depts. applicants have to pay fees of Rs 5. This Dept may suggest that

A

P.T.O.

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(7)

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2066

(T) the general orders in G.O. 1964 Pub(Servs) d/16.10.37 should apply to the present case.

Ug
21.7.38

D.W.D.
21.7.38

~~A.H.D.S.~~

M.E.H.

in No 25253 Acc 81
21/7/38

31560

E.P.H.

Education

Finance would levy the fee of Rs 5 also: it should be said with refer: to 'A' at p.8 ante that this Deptt's point was that a pay of Rs 30 was low as compared to the qualifications required of these Pandits.

2/ Draft reply for consideration for orders as to cire.

21/7.

S.I.A.
22.7.38 S

21/7/38

M (Ed) (1). Persons over 30 years of age may be recruited if people under 30 are not available.

P.M.

(2). With regard to girls school I agree only persons over 30 yrs should be recruited, but the D.P.I. should be asked to let women teachers for these schools. I am sure the Shri Pradhan Sabha can supply

ASST. SECRETARY TO GOVT.
21 JUL 1938
EDUCATION AND PUBLIC HEALTH DEPT.

16 women teachers. They will be far more satisfactory than men teachers in these schools.

(3). I do not think that the fee of Rs 5 should be levied from applicants for Hindustani teachers posts. As the D.P.I. was asked to prepare a list in consultation with the Hindi Prachar Sabha the advertisement was quite unnecessary.

(4) Declaration of eligibility should be obtained with regard to persons who are subjects of States. The Govt of India Act requires such declaration and we cannot waive it. This may be done after a person has been selected for appointment.

[illegible]
23/7/38.

GOVERNMENT OF MADRAS
25 JUL 1938
EDUCATION AND PUBLIC HEALTH DEPT.

HPM. C.R. 25.7.38

The T.O. below, as amended, may issue. Afterwards Public & Finance may peruse.

[illegible] 25/7.

S.A.
25.7.38 S

Yes [illegible] 25/7/38

> pp 11-12 infra

(T.O. [illegible] 25/7/38)

Cir 25/7/38
Pub
Fin

22371A 25/7

E&P.H. [illegible]
31580. B/38-1.
[illegible].38.

2066

(8)

11

Education Depr

T. M.

(8)

From

The Secy: to Govr:,
E & P.H. Depr:

To

The D.P.I. ✓

p. 1 N. 7

Your T.M. of the 14th July re: Hindustani teachers.

The questions raised are answered below seriatim.

(1) If candidates ~~within~~ below 30 years of age are not available, there is no objection to appointing persons of a higher age.

(2) It is not desirable to employ men teachers below 30 years of age in ~~girls'~~ these' schools. ~~Where~~ ~~women teachers or~~ men teachers or women teachers of 30 years or upwards are not available, special orders of Govr: should be taken for ~~to~~ the employment of the ~~persons proposed; in such~~

As regards girls' schools, Women teachers shd: be preferred.

8h: 28/7

pc

4/7

12 - 2 -

~~cases full particulars of the candidates should also be furnished.~~

(3) If persons other than British subjects are to be employed the authorization of the Governor required by the proviso to sec 262 (4) of the Govt: of India Act, 1935, may be obtained after ~~actual~~ selection for appointment.

(4) The fee required by G.O. No 1964 Pub., dt the 16th Oct: 1937 should [not] be levied.

(T)

Copy by post

E
21/7

819
22.7.38.

21/7/38

(9)

B

2066

Public (Sec)

[Previous notes of this Deptt on pp 3-6 ante]

The orders in circulation on pp 9-10 and the T.M. on pp 11-12 ante may be perused and the file passed on to Finance.

ASST. SECRETARY TO GOVT. 29 JUL 1938 EDUCATION AND PUBLIC HEALTH DEPT.

Pub. Sec. 22371 A/38/1. 28/7.

25/7/38

26/7/38

CS

26/7/38

Finance

Finance Deptt

Previous Fin notes on pp 8.9 ante and the orders in circulation on pp 9.10 ante. The case may be perused and returned to E.P.H.

27.7.38

28.7.38

D.W.P. 28/7

ASSISTANT SECRETARY 27 JUL 1938 FINANCE DEPT.

~~Addl D.S.~~

E.P.H.

Education Deptt

Public are issuing orders putting these posts of Hindustani teachers in Govt. schools outside the scope of statutory rules. Receipt of a copy of those orders may be awaited.

32685 B.

Fin no 25372 Fin/ 28/7/38

28/7

[illegible]

B. 2066 14 (10)

Edu. & P.H. Depts.

The original of G.O. Ms. No. 1309. Public (Services) Dept. dated the 28th July 1938 is not available in the C.R.B. The Public Dept may be requested ~~to~~ kindly to put up the G.O. in question for the ~~disposal of this case~~ perusal in connection with this file.

ASST. SECRETARY TO GOVT. 8 - AUG 1938 EDUCATION AND PUBLIC HEALTH DEPT.

E & P.H. No. 32912 B/38-1. 3/8/38.

Rd 2/8. 2/8

[illegible] 3.8.38 Public

23437 4/8

Public (Rules) Dept.

G.O. 1309 Pub (Sr) dated 27. 7. 1938 is at flag (B)

6/8

ASSISTANT SECRETARY TO GOVT. 4 - AUG 1938 CHIEF SECTT.

E & P.H.

6/8

No 23487/38 7 8/7/38

JRH

Education Depts.

Please see note at the bottom of p. 13 ante. The Public Depts. have issued a notification saying that the conditions of service of the Assistant Teachers are matters not suitable for regulation by rules. A copy of this may be communicated to D.P.I. Draft ~~[illegible]~~ is current for appl.

34209 B.

G.O. 1309 Pub. 28.7.38 (in c.f.) (B)

2/ Con p. 82 of G.O. No. 1394 Ed,

15

(B)

In 17th June 1938 Public had noted that although statutory rules were unnecessary for these posts the conditions of service of these teachers, such as age, appointing authority &c should be laid down in executive orders. ~~Orders~~ Instructions in re: to age have been issued to D.P.I. - p. 11 ante. Orders have also been issued as to who should appoint these teachers - para 4 of G.O. No. 1394 Ed. d/ 17.6.38. (B) Since these are strictly temporary posts, no further action need be taken now. The papers may be 'Recorded' after perusal by Public.

106 / 31/8

ASST. SECRETARY TO GOVT. 29 AUG 1938 EDUCATION AND PUBLIC HEALTH DEPT.

37367

A on p 13 ante :- Issued on E.O.M. No. 3291 B-2 25.8.38

18/8.

S.C.A. 23.8.38

S

24/8/38

Pub

E.&P.H. w.o. No. 3291 B-3 27.8.38

Public (Services) Dept

25800

~~Remarks~~ of The Education and Public Health Depts note above may be perused and the file returned to that Dept.

ASSISTANT SECRETARY TO GOVT. 27 AUG 1938 CHIEF SECTT.

27/8

27.8.38

26/8/38

E + P.H

Publ (Ser) Dir. No. 25800-1 27-8-38.

The papers may be 'recorded'.

Order ms. No 2066 31.8.38

30/8

S.C.A. 31/8.

Secondary Schools - Teachers - Conditions of service ...

2066 KW 1 (11) E

ASST. SECRETARY TO GOVT.
13 JUL 1939
EDUCATION AND PUBLIC HEALTH DEPT.

Office of the
Director of Public Instruction,
Madras.

POST COPY OF TELEPHONE MESSAGE DATED 12th July 1939.

***

From

28043

The Director of Public Instruction,
Madras.

To

The Assistant Secretary to Government,
Education and Public Health Department,
Fort St.George, M a d r a s.

SUB:--Hindustani Teachers - Levy of Fees from applicants.

REF:--Your telephone message dated 25th July 1939.

It is stated in the above telephone message that the fee required by G.O.No.1964, Public, dated 16th October 1937 should not be levied from applicants for Hindustani - Teachers' Posts. Kindly let me know whether this instruction is to hold good only to those applicants in the list referred to in paragraph 4 of G.O.No.MS.1394, Education and Public - Health, dated 17th June 1938 or whether it applies also to all Hindustani Teachers to be recruited in the future.

12.7.39

for DIRECTOR OF PUBLIC INSTRUCTION.

KAN.12/7

2

The application fee prescribed by G.O. No. 1964. Public (Ser). dated 16-10-37. is for Govt. Services. The number of Govt: Schools in which Hindustani teachers are employed is only 25 and all these were appointed last year. The remaining Schools in which Hindustani has been introduced are either under private management or under local bodies. Although the D.P.I. has been asked to advertise for these Schools also and draw up a list of suitable candidates in consultation with the Dakshina Bharat Hindi Prachar Sabha, these appointments not being under Govt., the question of an application fee cannot, strictly speaking, apply to them. The D.P.I's reference need be considered only in relation to appointments in Govt. Schools. The instructions issued last year that no application fee need be levied ~~might~~ may be taken to hold good until further orders.

Draft T.M. for approval.

(R.)

(A)

Under file

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14.7.39.

2066 B

5 / 1717

(12)

Edn Depr

T.M. No. 28043. B/39-1. Edn.
15-7-39.

From the Asst. Secy to Govt.
Edn & P.H. Dept.

To The D.P.I.

Hindustani teachers –
Levy of fees from
applicants –

Ref. your T.M. dated 12-7-39.

—

The instructions in ~~the~~ the ~~[illegible]~~ T.M. dated 25-7-38 to the effect that no fees need be levied from applicants for employment as Hindustani teachers may be acted on until further orders.

874
14.7.39.

Rb 14/7

Pp 11–12 of Go. 2066 Edn
31-8-38 (W)

P Cto go.

(to be stitched with Go. 2066. Edn.
31-8-38. (W)